

**REMARKS**

Claims 5-17 are all of the claims currently pending in this application, after entry of the foregoing amendments. Claims 1-4 are cancelled, claims 5-11 are amended, and new dependent claims 12-17 are introduced via this Amendment

The foregoing amendments are believed to overcome the objections to the claims in numbered paragraph 2 of the Office Action.

Applicants appreciate the Examiner's indication that claims 6 and 8-10 contain allowable subject matter. However, rather than rewriting those claims in independent form, Applicants respectfully traverse the prior art rejection of independent claim 5, from which claims 6-11 all depend, directly or indirectly.

The Examiner argues that the "air" in the tubes 21 of DiGiovanni has a lower refractive index than the inner or first cladding 12. However, claim 5 clearly recites that the rods have an index lower than the first cladding ("the rods having an index  $n_3$  lower than  $n_2$ "). Nowhere does DiGiovanni teach or suggest that the tubes 21 have a lower index than the first cladding 12, as the Examiner apparently agrees. Claim 5 should, therefore, be allowable, as should claims 6-17 since they depend therefrom.

In view of the preceding amendments and remarks, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If there are any points remaining in issue that the Examiner feels may be best resolved through a personal or

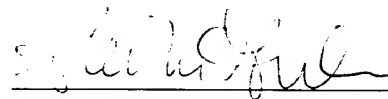
AMENDMENT UNDER 37 C.F.R. §1.111  
U.S. SERIAL NO. 10/069,781

ART UNIT 2874  
Q68616

telephonic interview, he is kindly requested to contact the undersigned attorney at the local telephone number listed below.

A Petition for Extension of Time with appropriate fee accompanies this document. The USPTO is directed and authorized to charge all additional required fees (except the Issue Fee and/or the Publication Fee) to our Deposit Account No. 19-4880. Please also credit any overpayment to said Deposit Account.

Respectfully submitted,



Steven M. Gruskin  
Registration No. 36,818

**SUGHRUE MION, PLLC**  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**  
CUSTOMER NUMBER

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